

REMARKS

Applicants have carefully reviewed this Application in light of the Office Action mailed February 8, 2007. Claims 1, 3-6, 9-47, 49-52 and 55-101 are pending in this Application. Claims 1, 3-6, 9-47, 49-52 and 55-101 stand rejected under 35 U.S.C. § 103(a). Claims 2, 7-8, 48 and 53-54 were previously cancelled without prejudice or disclaimer. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 103

Claims 1, 3-6, 33-36, 41-47, 49-52, 67, 69-82, and 87-101 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0085701 by Eric W. Parsons et al. ("*Parsons*"), in view of U.S. Patent 5,758,280 issued to Misa Kimura ("*Kimura*").

Claims 9-32, 37-40, 55-66, 68 and 83-86 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Parsons*, in view of *Kimura* and further in view of U.S. Patent No. 6,430,602 issued to Timothy Kay et al. ("*Kay*").

Parsons discloses a method and apparatus for personalized call and message management based on presence information. (Paragraph [0008]). A presence system keeps track of a user's "presence context," and when a call is received, the presence system forwards the call to the user in accordance with the user's presence context. (Paragraph [0009]). In addition, a system may be provided to make communication and messaging options available to the caller, which options depends on the user's context information. (Paragraph [0009]).

Kimura discloses a radio communication apparatus having a rejecting function for informing a calling apparatus of the fact that a received call will not be answered. (Col. 1, Lines 55-58). The apparatus has a first display for detecting the calling apparatus on the receipt of the call, and displaying the identity of the calling apparatus. (Col. 1, Lines 58-60). A second display displays a plurality of answer messages in a rejection mode, and the user of the called apparatus may select one of the plurality of answer messages displayed on the second display to reject the call. (Col. 1, Lines 61-67).

Claim 1 recites a method comprising "receiving from the second user via the second communication device a reply for accepting the request selected by the second user during the mediated communication session from at least one response displayed on the second

communication device, the at least one response displayed on the second communication device in response to receiving the request for implementing the interactive communication session.”

Claim 33 recites a method comprising “receiving from the second user via the second communication device a reply for accepting the request selected by the second user during the mediated communication session from at least one response displayed on the second communication device, the at least one response displayed on the second communication device in response to receiving the request for implementing the interactive communication session.”

Claim 47 recites a data processor program product, the data processor program being capable of enabling said at least one data processor of a communication apparatus to “receive from the second user via the second communication device a reply for accepting the request selected by the second user during the mediated communication session from at least one response displayed on the second communication device, the at least one response displayed on the second communication device in response to receiving the request for implementing the interactive communication session.”

Claim 79 recites a data processor program product, the data processor program being capable of enabling at least one data processor of a communication apparatus to “receive from the second user via the second communication device a reply for accepting the request selected by the second user during the mediated communication session from at least one response displayed on the second communication device, the at least one response displayed on the second communication device in response to receiving the request for implementing the interactive communication session.”

Claim 93 recites a communication apparatus including at least one communication session system, the at least one communication system capable of “receiving from the second user via the second communication device a reply for accepting the request selected by the second user during the mediated communication session from at least one response displayed on the second communication device, the at least one response displayed on the second communication device in response to receiving the request for implementing the interactive communication session.”

Applicants respectfully submit that *Parsons* and *Kimura*, whether alone or in combination, cannot render obvious the rejected Claims, because the references fail to

disclose, teach, suggest or make obvious each element of the rejected Claims. For example, neither *Parsons* nor *Kimura*, whether alone or in combination, disclose, teach, suggest or make obvious a method comprising “receiving from the second user via the second communication device a reply for accepting the request selected by the second user during the mediated communication session from at least one response displayed on the second communication device, the at least one response displayed on the second communication device in response to receiving the request for implementing the interactive communication session,” as recited in Claim 1. Specifically, neither of the references disclose a reply selected to accept a request for implementing an interactive communication session during a mediated communication session where the reply is selected from at least one response displayed on the second communication device in response to receiving the request for the interactive communication session. (emphasis added).

In the Office Action, the Examiner repeats his argument from his February 14, 2006 Office Action that:

Kimura teaches a second user selecting a reply from at least one response displayed on a second communication device, the at least one response displayed on the second communication device in response to receiving a request for implementing an interactive communication session (col. 1, lines 55-67).

(Office Action, Page 4). Applicants note that in their Request for Continued Examination and Amendment dated November 24, 2006, Applicants responded to the above assertion. (Request for Continued Examination, Page 29-30). However, in the most recent Office Action, the Examiner has not addressed, responded to, or otherwise replied to these arguments made by Applicants. Accordingly, Applicants renew these arguments.

As previously noted by the Applicants in the Request for Continued Examination, the portion of *Kimura* cited by the Examiner states:

In accordance with the present invention, a radio communication apparatus *having a rejecting function for informing a calling apparatus of the fact that a received call will not be answered* has a first display for detecting the calling apparatus on the receipt of a call, and displaying the calling apparatus. A storage stores a plurality of answer messages beforehand. *A second display displays the plurality of answer messages in a rejection mode.* A selecting section allows any one of the plurality of answer messages to be selected on the second display. A transmitter section transmits the message selected via the selecting section to the calling apparatus.

(Col. 1, Lines 55-67) (emphasis added).

Kimura further discloses that if the user wants to reject an incoming call, “the user operates the reject button 42. (step S108). In response, all the messages stored in the storage 6 are read out (step S109) and displayed on the display 10 (step S11).” (Col. 3, Lines 10-14). *Kimura*, therefore, requires an action by the user (i.e., rejection of an incoming call by pressing a reject button) in order for the messages to be displayed for selection by the user. In contrast, Claim 1 recites the limitation of “receiving from the second user via the second communication device a reply for accepting the request selected by the second user during the mediated communication session from at least one response displayed on the second communication device, the at least one response displayed on the second communication device in response to receiving the request for implementing the interactive communication session.” (emphasis added). For at least these reasons, Applicants again renew their arguments that the cited references fail to disclose the recited elements, and therefore, cannot render obvious Claim 1. In addition, for analogous reasons, the cited references fail to disclose, teach or suggest all of the limitations recited in Claims 33, 47, 79 and 93.

Given that Claims 3-6 and 9-32 depend from Claim 1, Claims 34-46 depend from Claim 33, Claims 49-52 and 55-78 depend from Claim 47, Claims 80-92 depend from Claim 79, and Claims 94-101 depend from Claim 93, Applicants respectfully submit that Claims 3-5, 9-32, 34-46, 49-52, 55-78, 80-92 and 94-101 are allowable. As such, Applicants respectfully request that the Examiner withdraw the rejections and allow Claims 1, 3-6, 9-47, 49-52 and 55-101.

Information Disclosure Statement

Applicants would like to bring to the Examiner’s attention that Applicants filed an Information Disclosure Statement on April 13, 2006. Applicants respectfully request that the Information Disclosure Statements be considered and cited in the examination of the above-referenced application. Applicants attach a copy of the Information Disclosure Statement and PTO Form 1449 filed April 13, 2006 for the Examiner’s convenience.

CONCLUSION

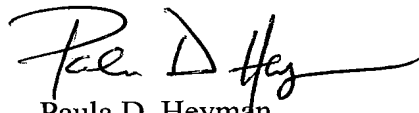
Applicants appreciate the Examiner's careful review of the application. Applicants have now made an earnest effort to place this case in condition for examination and allowance. For the foregoing reasons, Applicants respectfully request reconsideration of the application and allowance of Claims 1, 3-6, 9-47, 49-52 and 55-101.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2581.

Respectfully submitted,

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Date: May 8, 2007

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Enclosures: 1) Copy of Information Disclosure Statement and PTO Form 1449 filed April 13, 2006.